

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MICK ROCK,

Plaintiff,

- against -

ENFANTS RICHES DEPRIMES, LLC, BARNEYS
NEW YORK, INC. and THE REAL REAL, INC.

Defendants.

Docket No. 17-cv-2618 (ALC)

ECF CASE

DECLARATION OF RICHARD LIEBOWITZ

I swear under the penalty of perjury that the following is true and correct to the best of my personal knowledge:

1. I am lead counsel for Plaintiff Mick Rock (“Plaintiff”) in this action and submit this declaration in support of Plaintiff’s motion pursuant to Local Civil Rule 6.3 and Rule 60(b)(1) of the Federal Rules of Civil Procedure, to reconsider the District Court’s Order, dated January 19, 2020, which granted the Defendants \$100,008.13 in attorneys’ fees and costs under 17 U.S.C. § 505 and sanctioned Richard Liebowitz and Liebowitz Law Firm, PLLC in the amount of \$10,000 under the Court’s inherent authority. [ECF Docket (“Dkt.”) # 71, Order]

2. Attached as Exhibit A is a true and correct copy of the application for copyright registration which was submitted to the U.S. Copyright Office on April 29, 2019, along with the Photograph of Lou Reed at issue in this case (the “Photograph”).

3. Attached as Exhibit B is a true and correct copy of an e-mail, dated January 31, 2020, transmitted from the U.S. Copyright Office to my employee, Debbie Carrillo, indicating

that “[e]xamination is complete and we are now in the process of issuing a certificate of registration” for the Photograph.

Respectfully Submitted,

LIEBOWITZ LAW FIRM, PLLC

/richardliebowitz/

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